

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

SHURONE YVETTE NASH,
Petitioner,

VS.

JODY R. UPTON, WARDEN,
FMC-CARSWELL,
Respondent.

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Civil Action No. 4:13-CV-845-O

OPINION AND ORDER

Before the Court is a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 filed by Petitioner, Shurone Yvette Nash, a federal prisoner who was confined in the Federal Medical Center in Fort Worth, Texas, (FMC-Carswell) when this petition was filed, against Jody R. Upton, Warden of FMC-Carswell, Respondent. The prior referral to the Magistrate Judge is withdrawn. After considering the pleadings and relief sought by Petitioner, the Court has concluded that the petition should be dismissed as moot.

I. BACKGROUND

By this action, Petitioner sought time credits and release by the Federal Bureau of Prisons (BOP) to a Residential Reentry Center (RRC). *See* 18 U.S.C. § 3624(c). Petitioner has notified the Court that she has been released from FMC-Carswell and is currently residing in an RRC in Milwaukee, Wisconsin. Notice of Change of Address, ECF No. 16.¹

II. DISCUSSION

Petitioner's release to an RRC has rendered her habeas petition moot. *Bailey v. Southerland*, 821 F.2d 277, 278-79 (5th Cir. 1987). Because this Court can no longer provide her with the relief

¹The BOP's website reflects petitioner is assigned to an RRC in Chicago, Illinois, as of this date. Thus, it is possible she has been transferred to another RRC.

she seeks, dismissal of the petition is appropriate. *McRae v. Hogan*, 576 F.2d 615, 616-17 (5th Cir. 1978).

III. CONCLUSION

For the reasons discussed herein, the petition of petitioner for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 is **DISMISSED** as moot. Further, pursuant to 28 U.S.C. § 2253(c), for the reasons discussed herein, a certificate of appealability is denied.

SO ORDERED on this **1st** day of **April, 2014**.


Reed O'Connor
UNITED STATES DISTRICT JUDGE